

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION

)
MICHAEL DETTLING, LADONNA LINDSEY,)
PATRICIA OWENS, KIMBERLY PERRY, and)
MICHAEL ZDANOVICH,)
on behalf of themselves and a class of similarly) Case No. 1:17-cv-00009 AJT-MSN
situated former employees of Defendants,) Hon. Anthony J. Trenga
)
Plaintiffs,)
)
v.)
)
MEDTECH COLLEGE, LLC, SANZ SCHOOL,)
INC., RADIANCS COLLEGE, LLC, JTC)
EDUCATION, INC., JTC EDUCATION)
HOLDINGS, INC., and EXCELLERE)
PARTNERS, LLC,)
)
Defendants.)
)
)

**ORDER GRANTING JOINT MOTION FOR (1) CLASS
CERTIFICATION FOR PURPOSES OF SETTLEMENT ONLY; (2) APPOINTMENT
OF CLASS REPRESENTATIVES AND CLASS COUNSEL; (3) PRELIMINARY
APPROVAL OF SETTLEMENT AGREEMENT; (4) APPROVAL OF FORM AND
MANNER OF NOTICE TO CLASS; (5) SCHEDULING OF A FAIRNESS HEARING
FOR THE FINAL CONSIDERATION AND APPROVAL OF THE SETTLEMENT; AND
(6) FINAL APPROVAL OF SETTLEMENT**

The Court has considered the Joint Motion for an Order granting: (1) Class Certification for Purposes of Settlement Only; (2) Appointment of Class Representatives and Class Counsel; (3) Preliminary Approval of the Settlement Agreement between Plaintiffs, on behalf of themselves and the Settlement Class, and Defendants; (4) Approval of the Form and Manner of Notice to Class; (5) Scheduling of a Final Fairness Hearing for the final consideration and approval of the Settlement; and (6) Final Approval of the Settlement

The Court finds that:

- A. The Class is certified for the purposes of settlement.
- B. The law firms of Murphy Anderson PLLC and the Maurice & Jane Sugar Law Center for Economic and Social Justice, ("Class Counsel") are preliminarily appointed, for settlement purposes only, as counsel for the Class.
- C. Michael Dettling, LaDonna Lindsey, Patricia Owens, Kimberly Perry, and Michael Zdanovich are appointed as Class Representatives.
- D. Notice should be given to the Class to afford them the opportunity to object to the proposed Settlement Agreement or to opt-out of the Class.
- E. Notice should be provided by first class mail, postage prepaid, to the last known address of the Class Member. Such mailing should be made by Class Counsel within ten (10) business days following the entry of this Order. Notice in this manner is reasonable and the best notice practicable under the circumstances.
- F. The proposed Notice, which is attached to the Joint Motion as Exhibit 2, meets the requirements of Fed. R. Civ. P. 23(c)(2)(B). The Notice sufficiently describes, in clear, concise, and easily understood language the nature of the action and claims, the class certified, and the issues and defenses. The Notice states that the Settlement Agreement and Release, if approved, will be binding on all Class Members. The Notice summarizes the terms of the Settlement Agreement and Release, the right of and manner for Class Members to object to the Settlement Agreement and Release, the right of Class Members to appear by counsel at the Fairness Hearing, and the fact that more information is available from Class Counsel upon request. The Notice notifies putative members of their right to opt out of the Class. The Notice informs the putative class members that the Settlement Agreement and

Release provides for the release of their claims as identified in the Settlement Agreement and Release, and the payment of Class Counsel's attorneys' fees and costs. See Fed. R. Civ. P. 23(h).

G. Based on the range of possible outcomes and the cost, delay, and uncertainty associated with further litigation, the Settlement Agreement and Release is reasonable and cost-effective, and preliminary approval of the Settlement Agreement and Release is warranted.

H. The Settlement Agreement and Release should be preliminarily approved.

I. A hearing on the final approval of the settlement proposed in the Settlement Agreement and Release (the "Final Fairness Hearing") should be held no sooner than the 60 days after entry of this Order.

J. Other good and sufficient cause exists for granting the relief requested in the Joint Motion.

THEREFORE, IT IS HEREBY ORDERED THAT:

1. The Joint Motion is GRANTED.

2. The Settlement Agreement and Release is preliminarily approved.

3. The Court preliminarily appoints, for settlement purposes only, the law firms of Murphy Anderson PLLC and the Sugar Law Center for Economic and Social Justice, as class counsel.

4. The Court preliminarily appoints, for settlement purposes only, Michael Dettling, LaDonna Lindsey, Patricia Owens, Kimberly Perry, and Michael Zdanovich as Class Representatives.

5. The form of the Notice and the service of the Notice by Class Counsel by first class mail, postage prepaid, to the Class Members is hereby approved.

6. The Notice shall be mailed by first class mail by Class Counsel to the individuals identified in Exhibit A to the Settlement Agreement and Release within ten (10) business days following the entry of this Order.

7. Objections or other responses to the final approval of the Settlement Agreement and Release are to be mailed to the entities listed in the Notice, via certified mail, return receipt requested so that they are received by no later than ten (10) days prior to the Final Fairness Hearing.

8. The Court shall conduct the Fairness Hearing on Aug. 7, 2017 at 2:00 PM



/s/
Anthony J. Trenga
United States District Judge
Hon. Anthony J. Trenga

DATED: June 7, 2017